



Joseph P. Bort MetroCenter
 101 Eighth Street
 Oakland, CA 94607-4700
 TEL 510.817.5700
 TDD/TTY 510.817.5769
 FAX 510.817.7848
 E-MAIL info@mtc.ca.gov
 WEB www.mtc.ca.gov

Memorandum

TO: BATA Oversight Committee

DATE: April 6, 2011

FR: Executive Director

RE: Amendments to the BATA/Caltrans Cooperative Agreement for the Operation of the State-owned Toll Bridges (BATA Resolution No. 62, Revised).

Pursuant to law, BATA and Caltrans have entered into a cooperative agreement, which stipulates the roles and responsibilities of each agency for the funding and operation of the state-owned bridges in the Bay Area. The initial cooperative agreement was entered into in 1998. The agreement was updated in 2003, and the latest agreement was executed in 2006 (The agreement as amended through 2006 is referred to in this Memorandum as the “Cooperative Agreement”).

The initial agreement and all of the updates to the agreement included an attachment (Exhibit A) that identified the geographical limits of each of the bridges and bridge approaches by post mile. As stated in the Cooperative Agreement, the limits of the bridges and approaches were based on definitions in statutes and based on original project documents. It should be noted that only the San Mateo-Hayward Bridge has language in statute specifically defines the geographic limits of the bridge and approaches to the bridge. For all of the other bridges except the Richmond-San Rafael Bridge, the statutes reference the bridges and approaches, but do not include a specific geographic reference to the limits of the bridges and approaches. The Richmond-San Rafael Bridge does not have a statutory reference as to the limits of the bridge and its approaches at all.

Based on our recent review of the geographical limits of the bridges in the Cooperative Agreement, we have found that there is no consistency or clear rationale for the definition of the limits of bridges and bridge approaches as applied to each bridge. As referenced in Exhibit A, for some bridges the currently identified limits of the bridge and bridge approach end at the bridge structure and for other bridges the limits include an extended segment of the highway system leading to the bridge. As an example, the identified geographical limit for the Carquinez Bridge into Solano County is just past the toll plaza, while the identified geographical limit of the Benicia-Martinez Bridge in Solano County goes to the I-80/680 Interchange, which is almost 12 miles from the bridge structure. We believe that it would be beneficial to have a more rational and consistent identification of the limits of the bridges and bridge approaches to determine where investments can be funded with toll revenue to support the functioning of the bridges.

As a result, we are recommending revisions to the Cooperative Agreement between BATA and Caltrans, as follows:

- In regard to funding of rehabilitation and capital improvement projects, for all bridges, except the San Mateo-Hayward Bridge, Exhibit A will be revised so that the geographical limits of the bridges and approaches be identified to include the bridge structures and the approaches on each side of the bridges that extend to the nearest junction with a major freeway segment, as shown in the revised Exhibit A. Standardizing the limits of the bridge approaches to include the connection to the next major freeway will allow for toll funding of projects that maintain and improve traffic flow to the bridges, provided that revenue is available for such purposes.
- For the San Mateo-Hayward Bridge, Exhibit A will remain consistent with the specific language applicable to it in the Streets and Highways Code.

We have discussed these changes to the Cooperative Agreement with Caltrans and they have stated that they are supportive of the changes. The Cooperative Agreement, as restated and amended, is attached. The proposed changes to the Cooperative Agreement are highlighted in revised text and the Exhibits referenced above are attached.

Recommendation

The Committee is requested to refer BATA Resolution No. 62, Revised, to the Authority for approval and authorize the Executive Director to negotiate and enter into an amended and restated Cooperative Agreement between BATA and Caltrans, in substantially the form attached, together with such changes as the Executive Director shall approve.

Steve Heminger

SH:rmc